

00862.022285

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Yutaka TANAKA et al.) : Examiner: H. Nguyen
Application No.: 09/897,930) : Group Art Unit: 2851
Filed: July 5, 2001) : Confirmation No.: 1834
For: PROCESSING APPARATUS FOR) :
PROCESSING SAMPLE IN) :
PREDETERMINED ATMOSPHERE) :
December 2, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

☒ No additional fee is required.

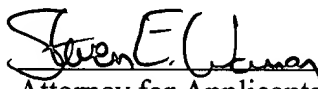
The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	17	MINUS	20	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	14	MINUS	14	= 0	x \$43 \$86	\$0.00
Fee for Multiple Dependent claims \$145/\$290						—
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Charge \$_____ to Deposit Account No. 06-1205. A duplicate of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 CFR 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.
- ☐ A check in the amount of \$_____ to cover the fee for a _____ month extension is enclosed.
- ☐ A check in the amount of \$_____ to cover the Information Disclosure Statement fee is enclosed.
- ☒ Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Steven E. Warner
Registration No. 33,326

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
SEW/eab

DC_MAIN 151477v1



00862.022285

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: H. Nguyen
Yutaka TANAKA et al.)	
	:	Group Art Unit: 2851
Application No.: 09/897,930)	
	:	Confirmation No.: 1834
Filed: July 5, 2001)	
	:	
For: PROCESSING APPARATUS FOR)	December 2, 2003
PROCESSING SAMPLE IN	:	
PREDETERMINED ATMOSPHERE)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants respectfully traverse the restriction requirement set forth in the Office
Action dated November 13, 2003.

In the Office Action, the Examiner sets forth a restriction requirement between two
groups of claims. Group I, claims 14-21, 23-25 and 28-30, is drawn to a substrate
processing system, an exposure processing system and a corresponding method, and is
classified in class 355, subclass 30. Group II, claims 22, 26 and 27, is drawn to a load lock
chamber; and is classified in class 118, subclass 719.

The Examiner contends that the inventions of Groups I and II are related as
combination and subcombination, and have acquired a separate status in the art as shown

by their different classification such that the searches are not coextensive, requiring separate examination. These contentions are respectfully traversed.

Applicants note that the inventions of Groups I and II are so closely related in the field of substrate processing that a proper search of any of the claims would, of necessity, require a search of the others. Thus, it is submitted that all of the claims can be searched simultaneously, and that a duplicative search, with possibly inconsistent results, may occur if the restriction requirement is maintained.

Applicants further submit that any nominal burden placed upon the Examiner to search an additional subclass or two, necessary to determine the art relevant to Applicants' overall invention, is significantly outweighed by the public interest in not having to obtain and study several separate patents in order to have available all of the issued patent claims covering Applicants' invention. The alternative is to proceed with the filing of multiple applications, each consisting of generally the same disclosure, and each being subjected to essentially the same search, perhaps by different Examiners on different occasions. This places an unnecessary burden on both the Patent and Trademark Office and on Applicants.

In the interest of economy, for the Office, for the public-at-large and for Applicants, reconsideration and withdrawal of the restriction requirement are requested.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicants provisionally elect, with traverse, to prosecute the invention of Group I, namely claims 14-21, 23-25 and 28-30.

Favorable consideration and an early passage to issue are also requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Steven E. Warner", is written over a horizontal line.

Attorney for Applicants

Steven E. Warner

Registration No. 33,326

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
SEW/eab

DC_MAIN 151474v1